

**REMARKS**

Reconsideration and allowance of the subject application are respectfully requested.

Claims 3-9, 11, 14-20 and 22-24 have been examined. Claims 3-9, 11, 14-20, and 22-25 are all the claims pending in the application.

***Claim rejections -- 35 U.S.C. § 112***

Claims 3, 8, 14, and 19 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Specifically, the Examiner argues that the recitation of “an interval in said second time” is unclear, since only one time is referenced. Applicant has herein amended claims 3, 8, 14, and 19 in order to recite “an interval between said first time and said second time”, and therefore respectfully requests the Examiner to withdraw the rejection.

***Claim rejections -- 35 U.S.C. § 103***

Claims 3, 6-9, 11, 14, 17-20 and 22-24 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Abraham in view of Nickles, both of which are previously of record. Applicant respectfully traverses this rejection.

For example, claim 3 recites the feature wherein a packet monitoring device is arranged in a channel of a network connecting an application server and a terminal of an end-user. The packet monitor device monitors an interval at which a packet arrives at the application server from a terminal of an end-user, or arrives at a terminal of an end-user from the application server. If the interval satisfies a rule, the packet monitor device makes an annunciation to the end-user. Applicant respectfully submits that the combination of Abraham and Nickles does not disclose or suggest the above-referenced feature.

Claims 8, 14, and 19 recite similar features, and therefore are patentable for the same reasons discussed above.

Claims 4, 5, 15, and 16 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Abraham in view of U.S. Patent No. 6,115,393 to Engel.

Applicant has amended claims 4 and 15 to recite the feature wherein said packet monitor device monitors an interval between which packets arrive at said end-user from said application server and vice versa, and said certification server makes annunciation to said end-user if said interval is constant. Applicant respectfully submits that this feature is not disclosed or suggested by any of the reference of record, either alone or in any combination thereof. Accordingly, Applicant respectfully submits that claims 4 and 15 are patentable, and that claims 5 and 16 are patentable based on their dependencies.

***New claim***

Claim 25 has been added, and Applicant respectfully submits claim 25 is patentable based on its dependency.

***Conclusion***

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

AMENDMENT UNDER 37 C.F.R. § 1.111  
Application No.: 09/788,566

Attorney Docket No.: Q63195

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.


Respectfully submitted,

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**23373**

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